

1 COOLEY LLP
PATRICK E. GIBBS (183174)
2 (pgibbs@cooley.com)
TIJANA M. BRIEN (286590)
3 (tbrien@cooley.com)
ZANETA J. KIM (317844)
4 (zkim@cooley.com)
AMIE L. SIMMONS (336356)
5 (asimmons@cooley.com)
3175 Hanover Street
6 Palo Alto, California 94304-1130
Telephone: +1 650 843 5000
7 Facsimile: +1 650 849 7400

8 *Attorneys for Defendants FibroGen, Inc.,*
9 *Enrique Conterno, James Schoeneck,*
Mark Eisner, and Pat Cotroneo

10
11
12 **UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

13 IN RE FIBROGEN, INC., SECURITIES
14 LITIGATION

No. 3:21-cv-02623-EMC

15 **CLASS ACTION**

16 **STIPULATED REQUEST AND**
~~PROPOSED~~ ORDER CHANGING TIME
17 **PURSUANT TO LOCAL RULE 6-2**

1 Lead Plaintiffs Employees' Retirement System of the City of Baltimore, City of
 2 Philadelphia Board of Pensions and Retirement, and Plymouth County Retirement Association
 3 ("Plaintiffs"), and Defendants FibroGen, Inc., Enrique Conterno, James Schoeneck, Mark Eisner,
 4 Pat Cotroneo, and K. Peony Yu ("Defendants," and together with Plaintiffs, the "Parties"), hereby
 5 submit this Stipulated Request and [Proposed] Order Changing Time Pursuant to Local Rule 6-2.

6 WHEREAS, on June 8, 2023, Plaintiffs filed a Motion for Spoliation Sanctions (the
 7 "Motion," ECF No. 185);

8 WHEREAS, under Local Rule 7-3, Defendants' Opposition to the Motion must be filed and
 9 served no later than June 22, 2023, L.R. 7-3(a), Plaintiffs' Reply in support of their Motion must
 10 be filed and served no later than June 29, 2023, L.R. 7-3(c), and Plaintiffs noticed a hearing on the
 11 Motion for July 27, 2023;

12 WHEREAS, counsel for Plaintiffs and Defendants have mutually agreed to an extension of
 13 the aforementioned deadlines. The extension is necessary due to, among other things, the scope of
 14 the Motion, which includes over one hundred exhibits, as well as conflicts in the schedules of
 15 counsel for Defendant Yu;

16 WHEREAS, good cause exists for the requested extension given the Parties' agreement, the
 17 complexity of the Motion, the scheduling conflicts faced by the Parties and their respective counsel,
 18 and that no other case deadlines will be affected by the extensions requested herein;

19 WHEREAS, the Parties have met and conferred and agreed to the schedule set forth below
 20 for remaining briefing and argument on Plaintiffs' Motion;

21 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, pursuant to Civil
 22 Local Rule 7-12, by and between the undersigned counsel for the Parties, as follows:

- 23 1. Defendants shall file their opposition papers to Plaintiffs' Motion for
 24 Spoliation Sanctions by July 17, 2023;
- 25 2. Plaintiffs shall file their reply papers in support of their Motion for
 26 Spoliation Sanctions by August 11, 2023; and
- 27 3. The hearing on this matter shall be held on August 31, 2023 at 1:30 p.m. or
 28 on such other date as may be convenient for the Court.

1 **IT IS SO STIPULATED.**

2 Dated: June 14, 2023

COOLEY LLP

3 By: /s/ Patrick E. Gibbs
4 Patrick E. Gibbs

5 Patrick E. Gibbs (183174)
6 pgibbs@cooley.com
7 Tijana M. Brien (286590)
8 tbrien@cooley.com
9 Zaneta J. Kim (317844)
10 zkim@cooley.com
11 Amie L. Simmons (336356)
12 asimmons@cooley.com
13 3175 Hanover Street
14 Palo Alto, CA 94304-1130
15 Tel.: (650) 843-1130
16 Fax: (650) 849-7400

17 *Attorneys for Defendants FibroGen, Inc.,*
18 *Enrique Conterno, James Schoeneck, Mark*
19 *Eisner, and Pat Cotroneo*
20
21
22
23
24
25
26
27
28

1 Dated: June 14, 2023

SAXENA WHITE P.A.

2 By: /s/ David R. Kaplan
3 David R. Kaplan

4 David R. Kaplan (230144)
5 dkaplan@saxenawhite.com
6 Emily Bishop (319383)
7 ebishop@saxenawhite.com
8 505 Lomas Santa Fe Drive, Suite 180
9 Solana Beach, CA 92075
10 Tel.: (858) 997-0860
11 Fax: (858) 369-0096

12 Steven B. Singer
13 ssinger@saxenawhite.com
14 Kyla Grant (admitted *pro hac vice*)
15 kgrant@saxenawhite.com
16 Sara DiLeo (admitted *pro hac vice*)
17 sdileo@saxenawhite.com
18 Joshua H. Saltzman (admitted *pro hac vice*)
19 jsaltzman@saxenawhite.com
20 10 Bank Street, 8th Floor
21 White Plains, New York 10606
22 Tel: (914) 437-8551

23 Maya Saxena (admitted *pro hac vice*)
24 msaxena@saxenawhite.com
25 Lester R. Hooker (241590)
26 lhooker@saxenawhite.com
27 Dianne M. Pitre (286199)
28 dpitre@saxenawhite.com
7777 Glades Road, Suite 300
Boca Raton, FL 33434
Tel.: (561) 394-3399
Fax: (561) 394-3382

*Counsel for Lead Plaintiffs Employees'
Retirement System of the City of Baltimore,
City of Philadelphia Board of Pensions and
Retirement, and Plymouth County Retirement
Association, and Lead Counsel for the Class*

1 Dated: June 14, 2023

**PILLSBURY WINTHROP SHAW
PITTMAN LLP**

2 By: /s/ Bruce A. Ericson
3 Bruce A. Ericson

4 Bruce A. Ericson (76342)
5 bruce.ericson@pillsburylaw.com
6 Lee Brand (287110)
7 lee.brand@pillsburylaw.com
8 Four Embarcadero Center, 22nd Floor
9 San Francisco, CA 94111-5998
10 Tel.: (415) 983-1000
11 Fax: (415) 983-1200

WEI GROUP LLP

9 Eric S. Wei (*pro hac vice* forthcoming)
10 ewei@weillp.com
11 One World Trade Center, Suite 8500
12 New York, NY 10007-0103
13 Tel.: (212) 248-0808
14 Fax: (212) 248-0475

Attorneys for Defendant K. Peony Yu, M.D.

14 * * *

15 **ATTESTATION PURSUANT TO CIV. L.R. 5-1**

16 Pursuant to Civil Local Rule 5-1(h)(3), I attest that each of the signatories above concur in
17 the filing of this document.

18 Dated: June 14, 2023


Cooley LLP

19 /s/ Patrick E. Gibbs
20 Patrick E. Gibbs

~~PROPOSED~~ ORDER

IT IS SO ORDERED.

DATED: June 20, 2023



THE HONORABLE EDWARD M. CHEN
UNITED STATES DISTRICT JUDGE